

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DANIEL W. KELLER,

Plaintiff,

v.

WASHOE COUNTY, *et al.*,

Defendants.

Case No. 3:25-cv-00104-MMD-CSD

ORDER

On February 20, 2025, pro se plaintiff Daniel W. Keller, an inmate being detained at the Washoe County Detention Center, submitted a complaint under 42 U.S.C. § 1983 and applied to proceed *in forma pauperis*. (ECF Nos. 1-1,1). Plaintiff's application to proceed *in forma pauperis* is incomplete because **the application itself is not complete and Plaintiff did not include a financial certificate or an inmate trust fund account statement for the previous six-month period with the application**. The Court will deny Plaintiff's application without prejudice and give Plaintiff the opportunity to correct these deficiencies **by May 6, 2025**.

I. DISCUSSION

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is

1 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
2 **inmate's prison or jail trust fund account statement for the previous six-month**
3 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*
4 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
5 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

6 As explained above, Plaintiff's application to proceed *in forma pauperis* is
7 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*
8 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing
9 fee or file a new fully complete application to proceed *in forma pauperis* with all three
10 required documents.

11 **II. CONCLUSION**

12 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)
13 is denied without prejudice.

14 It is further ordered that Plaintiff has **until May 6, 2025**, to either pay the full \$405
15 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three
16 required documents: (1) a completed application with the inmate's two signatures on page
17 3, (2) a completed financial certificate that is signed both by the inmate and the prison or
18 jail official, and (3) a copy of the inmate's trust fund account statement for the previous
19 six-month period.

20 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
21 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
22 to refile the case with the Court, under a new case number, when Plaintiff can file a
23 complete application to proceed *in forma pauperis* or pay the required filing fee.

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1 The Clerk of the Court is directed to send Plaintiff Daniel W. Keller the approved
2 form application to proceed *in forma pauperis* for an inmate and instructions for the same
3 and retain the complaint (ECF No. 1-1) but not file it at this time.

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5 DATED: March 7, 2025.

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8 UNITED STATES MAGISTRATE JUDGE